

HO Audio Conferencing call in number: Ex. 6 Personal Privacy (PP)),
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Submit to Rosa/Patricia by 3pm the day before the meeting.

ITEMS NEEDING DIRECTION OR DECISION (1-2 bullet description or 1-pager)

MAMPD All

PWTB

GLP Compliance Monitoring History Requests—Occasionally, the GLP program receives requests from foreign countries via US registrants to identify whether a particular laboratory was inspected by EPA, the types of studies inspected and whether any enforcement response was initiated as a result (see attached examples). The GLP program responds to these requests by using a boilerplate letter, which has been modified recently to include a reference to the availability of online data (attached).

- Coal Combustion Residuals Rule-any follow up discuss from OD meeting?
- Heads up-Sept 24 Region 3 all day meeting with State Ag Secretaries/Commissioners, USDA Leadership, and OECA in R3 office. Agenda (attached) items-transition from NEIs to NCIs? What does it mean for the Ag sector? R3 RA followed through with promise to let state Ag Secretaries know when EPA conducts inspections and invite them to join. Region 3 and US Poultry & Egg Association developed a video “What to Expect when you are Inspected”

AIR

- Waiver request for Analytic Blueprint on Major Source Reclassification rule (formerly Once-In-Always-In) and who to invite for Options Selection – tentatively scheduled for week of September 17th
- Brick MACT Compliance Deadline Extension – Update

CPS

- Credential Audit update—First phase completed.

WATER

- Drinking water NCI—update.
- Cattleman’s Meeting with Susan—update.

Items for I/O review

Ethics Memo and 1 pager to David (John is reviewing now)

Upcoming Items and OD Briefings (on deck)

AA Meeting with ASDWA – September 21st.

Proposed Items for AA, DAA, Larry and other Offices

OECA’s role on rules - update for OECA-IO (Martha/Catherine)

Rulemakings

- Integrated Iron and Steel NESHAP FFFFF Risk and Technology Review (SAN 5919; Tier 2; Maria Malave): Early Guidance was held on September 26, 2017. OECA has no major compliance concerns at this time, however, we are discussing potential compliance options with Regions 3 and 5, including work practices for fugitive emission sources, after OAQPS completion of the risk and cost effectiveness analyses, and further discussions with industry. Option Selection date has not been determined yet, however, it is now expected to occur in late September 2018. Administrator’s signature of proposed rule to occur Fall 2018.
- Pesticides; Certification of Pesticide Applicators Rule; Reconsideration of the Minimum Age Requirements (RIN 2070-AK37; Carol Galloway) A FR notice was published 12/19/17 announcing plans to reconsider the minimum age requirements for certified applicators. The regulatory workgroup waived the Early Guidance and Analytical

Blueprint milestones. Options Selection and Final Agency Review have been identified by OCSPP as unnecessary. Publication of the Notice of Proposed Rulemaking requesting public comments is expected by the end of FY18.

- Pesticides; Agricultural Worker Protection Standard; Reconsideration of Several Requirements and Notice About Compliance Dates (RIN 2070-AK40; Carol Galloway) A FR notice was published on 12/21/2017 announcing rulemaking to reconsider three requirements established in the November 2, 2015, revisions to the Worker Protection Standard, and to announce that there will be no change to the compliance dates established in the 2015 revisions. The three areas for reconsideration are: minimum age for handlers and early entry workers; designated representative; and the application exclusion zone (AEZ). The regulatory workgroup waived the Early Guidance and Analytical Blueprint milestones. Options Selection and Final Agency Review have been identified by OCSPP as unnecessary. Publication of the Notice of Proposed Rulemaking requesting public comments is expected by the end of FY18.
- Asbestos Cement Pipe Replacement Alternative Work Practices (SAN: 6102, Tier 3; John Cox) NPRM published 04/25/18 and comment period ended 6/25/18. Comments being reviewed and anticipate Response to Comment document being issued in September 2018. Proposal projected to go final in November 2018 with no significant changes. No OECA issues identified.
- NESHAP for Reinforced Plastics Composites & Boat Manufacturing RTR (SAN: 5930, Tier 2, John Cox). Based on current risk results, no residual risks have been identified and is therefore likely no changes will be made to this rule. This technology review will potentially be down tiered to a Tier 3 rulemaking and OMB has provided a non-significant determination. The timeline for this rulemaking has been moved out, and as a result the ADP milestones have changed. OECA agreed to a waiver for Early Guidance and the Analytic Blueprint in August, 2018. Options Selection was held August 17, 2018. FAR meeting date TBD. Workgroup members will continue to meet, and more updates will be provided regarding the ADP milestone progress.
- NESHAP for Miscellaneous Organic Chemical Manufacturing (MON) RTR (Part 63 Subpart FFFF) (SAN: 6494, Tier 2, John Cox). Early guidance was held 6/26/18. This technology review will evaluate control options (i.e. heat exchange systems, equipment leaks, connectors, and flares), as well as costs and emissions impacts. Options selection has been rescheduled for October 10th, 2018. Final Agency Review is tentatively scheduled for November 19th, 2018, however this date is subject to change. Following Final Agency Review, the proposed rulemaking is scheduled to be signed on March 13th, 2019. OECA is working with OAQPS on implementation issues with this rule and two other rules, which overlap the source category (Miscellaneous Coating MACT and Paper and Other Web Coatings MACT).
- NESHAP for Rubber Tire Manufacturing RTR (Part 63 Subpart XXXX) (SAN: 5949, Tier 2, John Cox). Early guidance has been waived for this technology review. Options selection was planned for August 21st, 2018, but not held due to discussions with OGC to down tier the rule. Final Agency Review is scheduled for the week of November 2nd, 2018 (timeline is subject to change, due to the potential for a down tier request.) Depending on risk results, this technology review may be considered as a Tier 3 rulemaking. We do not expect changes to monitoring and testing and no significant issues are anticipated for OECA.
- NESHAP for Organic Liquids Distribution RTR (Part 63 Subpart EEEE) (SAN: 6503, Tier 2, John Cox). Early Guidance was held July 6th, 2018. This technology review will evaluate control options, costs and emission impacts based on model equipment. Options selection was scheduled for August 2018, with Final Agency Review scheduled to take place during September 2018. These dates have past and updates will be provided on the new projected date for Options Selection and Final Agency Review shortly. No OECA issues identified at this time.
- NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (SAN 5988; Tier 2; John Cox): Early Guidance has been waived. Options selection was held on August 13th, 2018. FAR tentatively scheduled for September 24, 2018. Administrator's signature of the Proposed Rule is scheduled for late November 2018. OMB designated this action as non-significant on March 20th, 2018. The court ordered deadline for this rulemaking is March 13th, 2020, however as mentioned, the proposal is planned to be published in Fall 2018. The risk review indicates risks are acceptable and the NESHAP already provides an 'ample margin of safety'. No rule revisions are recommended based on the risk and technology reviews. Regarding other actions, small revisions for monitoring requirements have been proposed, along with clarification standards that apply during times of Start-up, Shutdown, or Malfunction (SSM). No OECA issues have been identified.
- Revisions to the SDWA Lead and Copper Rule (RLCR) (SAN: 5423, Tier 1; Ken Harmon). After several months of no progress, Options selection is now anticipated in January or February of 2018, with Final Agency Review likely in April or May of 2018.

- Option Selection for the Steam Electric Effluent Guideline Reconsideration Rule. (40 CFR Part 423) (SAN 5422.2); Tier 1; Dan Chadwick and Peter Babor). This rulemaking is to potentially revise certain best available technology economically achievable (BAT) effluent limitations and pretreatment standards for existing sources (PSES). This rulemaking will look at postponing the compliance dates in the 2015 Steam Electric ELG Rule for the BAT effluent limitations and PSES for bottom ash transport water and flue gas desulfurization wastewater. Option Selection for this rule is likely in August 2018.
- NESHAP for Friction Products Manufacturing RTR (Part 63 Subpart QQQQ) (SAN: 6040, Tier 3, Sara Ayres). NPRM rule package signed 4/23/18 and published in FR 5/3/18. Only two affected facilities, no changes proposed to limits or monitoring. Comments provided led to possible compliance issue referred to R4, may need clarifying changes in final rule language.
- NESHAP for Wet-Formed Mat Production RTR (Part 63 Subpart HHHH) (Tier 3, Sara Ayres). NPRM signed 3/19/18. Seven affected facilities. Technology review identified no new technologies or work practices. SSM exemption to be removed, electronic reporting for stack testing added; some reporting requirements removed reducing burden. Provided comment on initial draft of Response to Comment document 6/22/18. No OECA issues identified.
- NESHAP for Petroleum Refinery RTR (Refinery MACT; NSPS Subparts CC, UUU, Ja) (Tier 3, Maria Malave). The proposed rule amendment was published in the Federal Register on April 10, 201. Based on the comments received during the comment period that ended May 25, 2018, we are now addressing technical corrections and to make clarifying amendments and minor revisions to requirements for work practice standards, recordkeeping and reporting. OAQPS seeks to finalize this regulatory effort ASAP, before January 30, 2019, the rule compliance date.
- Ethylene Production NESHAP RTR (Part 63 Subparts XX & YY) (SAN 5914, Tier 2, Katie Owens). Early Guidance was held on January 19, 2018, Options Selection was held on March 20, 2018, and Final Agency Review was held on July 10, 2018. Proposed signature planned for September 2018. Final signature planned for December 2019 (Pursuant to a court order, EPA must finalize the RTR by no later than March 13, 2020). The concurrence with nonsignificant comment memo was submitted to OAR on July 19, 2018. A post-FAR preamble will be distributed to the workgroup for review by September 14, 2018.
- Site Remediation NESHAP RTR (Part 63, Subpart GGGG) (SAN 6928, Tier 2, Katie Owens). There are 102 affected facilities. Risk review is currently underway and is anticipated for group review by September 7, 2018. The first workgroup call was held on August 10, 2018. Early Guidance has been proposed to occur during the week of September 24, 2018.
- Oil and Gas Sector NSPS Reconsideration - "Technical" (NSPS OOOOa, Tier 2, SAN 5719.8, Marcia Mia). Early Guidance was scheduled for December 15, 2017 but cancelled. AA Briefed on 12/11/17. Rule down-tiered to Tier 2. Request to waive analytic blueprint approved by workgroup. Options selection February 1, 2018. FAR held April 5, 2018. OECA concurred with non-significant comment at the DD level (MAMPD). OCE (Ginny Sorrell) and OCEFT (John Gregory) also have members on the workgroup. Proposal at OMB.
- Oil and Gas Sector NSPS Reconsideration - "Policy" (NSPS OOOOa, Tier 1, SAN 6616, Marcia Mia). Early Guidance and Options selection held without full workgroup. This rule will focus on our legal position regarding the regulation of methane from the source category and/or changes to the source category. Request for Expedited FAR received 05/03/18 and due 05/08/18. MAMPD agreed to Expedited FAR as we expect this to be a legal analysis and have been provided advanced materials for review. Marcia is recommending concurrence with significant comment, due to the issues with missed milestones and implications for enforceability of the fugitives monitoring program under Option 2 (maintain source category to include transmission and storage/rescind methane). FAR has been pushed back to early September with a ten-day FAR review.
- Portland Cement NESHAP: Residual RTR (Part 63 Subpart LLL) (SAN: 5890, Tier 3, Sara Ayres). Agreed to request to down-tier Final Rule 3/8/2018 because OAQPS is planning to finalize the rule as proposed. No OECA issues expected. Rule signed July 13th.
- GHG Emission Guidelines (Clean Power Plan Replacement) (Part 62 Subpart MMM, NNN) (SAN: 6346, Tier 1, Sara Ayres). EG and OS backdated to 3/15/2018 meeting where OECA was not present. Agreed to expedited far FAR expected 6/21/2018 with rule text to be provided 6/14/2018. NSR changes are significant issue for OCE, OECA concurred with significant comment, signed by Susan.
- GHG NSPS (Clean Power Plan Replacement) (Part 60 Subpart TTTT) (SAN:5548.6, Tier 1, Sara Ayres). OC taking primary role from OCE. Main change will be revision of BSER. EG, OS backdated to 3/15/2018 meeting where OECA was not present. FAR held July 24th. No OECA issues identified, OECA concurred with non-significant comment 8/2/18.

- HCI Production NESHAP RTR (Part 63 Subpart) (SAN: Tier 3, Marcia Mia). Due to low risk results and no technological improvements, OAQPS is anticipating not making significant changes to the rule. Request to down tier to Tier 3 approved 4/3/18. Final draft for work group review from 6/21/18 through 7/6/18. Marcia has completed her review and has non-significant comments which she has provided in the Share Point site per the work group chair request.
- CISWI Technical Corrections (Part 60 Subpart CCCC, DDDD) (SAN: 6630, Tier 3, Sara Ayres). OAQPS has decided to fix several technical issues in the NSPS and Emission Guidelines. Reviewed draft language 2/6/18. No OECA issues identified. NPRM signed 5/8/18. Received only positive comments, OAQPS currently plans to finalize as proposed.
- NESHAP for Stationary Turbines RTR (Part 63 Subpart YYYY) (SAN:5909, Tier 3, Sara Ayres). Agreed to a down tier to Tier 3 5/30/2018 due to low source category risks and no significant technological developments to be added in the RTR. A proposal to delist the subcategory is likely not to proceed as the risks (although low) are too high to allow delisting. We would need to remove a stay that was established in 2004 (because of the delisting petition) and give sufficient time for turbines installed since then to comply. There is a possibility of adding standards for a few subcategories to address a potential legal vulnerability, although we are not necessarily compelled to do so under the RTR, but they would likely be set at levels achievable by most turbines. If we add any standards, there would be monitoring, recordkeeping and reporting associated with those new standards, otherwise, other than adding the standard electronic reporting language, no changes to MRR are anticipated. No OECA issues yet identified.
- Engine Test Cells/Standards RTR (Part 63 Subpart PTTTT) (SAN: 5911, Tier 2, Sara Ayres). Court ordered deadline for final rule of 3/2020. NPRM EG meeting held 9/5/18. Rule currently only sets standards for one of eight subcategories, if additional standards set, would need to look at new MRR. However, not required to set standards under an RTR, so unlikely to set standards with current court deadline on rule. Some issues raised by industry on current monitoring provisions, OAQPS looking to get more info, OC will monitor as needed.
- MATS RTR and Cost Review (Part 63 Subpart UUUUU) (SAN: 6716, Tier 1, Sara Ayres). OAQPS planning to rescind Appropriate and Necessary (A&N) finding for regulating mercury at EGUs. Because residual risks are too high to support delisting, standards will remain in effect. Options Selection meeting held 8/22/18, Susan Bodine attended. Agreed to expedited FAR request 9/10/18. Received FAR package 9/7/18. FAR scheduled for 9/17/18. No rule language changes proposed as the RTR is being done ahead of schedule and there have been no technology improvements or risk changes. However, preamble asks for comment on legal possibilities for rescinding the rule and on subcategorizing acid gas standards for bituminous refuse-coal-fired units. No OECA issues identified, although if rule were rescinded, there would obviously be impacts on any ongoing cases against MATS units (R5 has at least one at present).
- Reclassification of Major MACT Sources to Area Sources (OIAI) (Part 63 Subpart A) (SAN: 4908, Tier 2, Sara Ayres). OAQPS agreed to request from OECA/OP for up-tier. Options Selection tentatively scheduled for week of September 17th, but no meeting request yet received. OAR mgmt. may push to get NPRM signature before EPA's response brief on litigation is due 12/21/18. Also, on guidance memo on how applicability determinations should reference the 2018 Wehrum Memo on Reclassification, OAQPS considering OECA's request that the memo be a joint signature from Susan and Bill to the RA's.

Upcoming Meetings

Wood Heater Inspections, Utah (Sept. 17-21); Idaho (Oct. 1-5) Rafael
 Basic/Ag Use PIRT: Asheville, North Carolina (Sept 9-13) Kelly
 SFIREG POM & EQI Committee Meetings, Crystal City, VA (Sept. 17-18) Anthony
 Southeastern States Asbestos Conference: Raleigh, NC (Sept. 17-20) John, Rob
 Tribal Pesticide Inspector Training: Poplar, MT (Sept 17-21) Carol
 Natural Gas Inspections: Pennsylvania (Oct 15-19) Katie
 IOGCC Annual Meeting, Coeur D'Alene, ID (Sept. 30-Oct. 2) Marcia
 Tribal Pesticide Program Council Meeting: Chandler, AZ (Oct. 9-12) Carol
 CAA Delegation Training for Rule Writers, RTP, NC (Oct 22) Marcia
 ASDWA Annual Conference, Des Moines, IA (Oct. 22-25) Martha, Barbara, Hannah
 National CAA112r Meeting: Seattle, WA (October 23-25) Rob
 2018 E-Enterprise Exchange Network National Meeting: Addison, TX (October 23-25) Emily
 NPDES Enforcement Managers' Meeting, Philadelphia, PA (Nov. 6-8) Rick, Barbara, Seth

SDWA PWS Enforcement In-Person Meeting: Washington, DC (November 14-16) Martha, Barbara, Ken, Raquel, Cassandra

CWA NPDES National Technical Inspector Workshop: Chicago (December 3-7) Martha, Rick, Barbara, Peter, Laura, Seth, Raquel